

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

STEPHEN CHARGIN,

CV F [02- 5751](#) REC LJO P

Plaintiff,

v.

ORDER VACATING FINDINGS AND  
RECOMMENDATION ISSUED FEBRUARY  
4, 2005. (Doc. 67.)

NANDAN BHATT, et. al.,

Defendants.

Stephen Chargin ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On February 4, 2005, the Court issued Findings and Recommendations that Defendant Hernandez be dismissed from the action for Plaintiff's failure to provide sufficient information for the U.S. Marshal to effect service on him. Following a subsequent attempt at service, the Court received a waiver of service by one "Rene Hernandez," Correctional Officer at the Security Housing Unit, Corcoran State Prison. In light of the waiver, the Court HEREBY VACATES the Findings and Recommendations issued on February 4, 2005.

IT IS SO ORDERED.

**Dated: December 14, 2005**  
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**/s/ Lawrence J. O'Neill**  
UNITED STATES MAGISTRATE JUDGE